

**OFFICIAL MINUTES OF THE
WEBB COUNTY COMMISSIONERS COURT
MEETING OF NOVEMBER 26, 2001
LAREDO, TEXAS**

Let it be remembered that a regular meeting of the Webb County Commissioners court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

**Mercurio Martinez, Jr.
Jerry Vasquez
Judith Gutierrez
Felix Velasquez
Miguel Urdiales**

**County Judge
Commissioner Prct.#1
Commissioner Prct.#2
Commissioner Prct.#3
Commissioner Prct.#4**

Thus constituting a quorum, the Commissioners Court proceeded to act upon the agenda as posted in the meeting notice of the 20th of November 2001. Present were Selina G. Reyes, Deputy County Clerk, representing Mr. Henry Flores, Ex-Officio Clerk of the Commissioners Court, various officers and others interested in the business of the court.

01-11-303

1. Call to order – Judge Martinez

Invocation – Mr. Chuck Owen

Pledge of Allegiance – said by all

01-11-307

5. Proclamation –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye”, in favor to accept a Proclamation declaring “World Aids Day” on December 1, 2001.

Commissioner Velasquez read the Proclamation at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “aye”, in favor to adopt a Resolution concerning the need for a Voter Identification Card as an acceptable form of identification for voting purposes.

Judge Martinez named Commissioner Velasquez to chair a committee to look into the process of implementing the Voter Identification Card.

Judge Martinez asked Commissioner Velasquez to include the Democratic and Republican Chairpersons.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye”, in favor to move up item 01-11-312 10. – k.:

Judge Manuel Flores, 49th District Court addressed the court regarding a Resolution to increase the per diem allowance for jury service from six (\$6.00) to forty dollars (\$40.00) per day as acted upon by the Administrative Board of Judges on November 7, 2001.

After discussion, a motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “aye”, in favor to table that item.

Judge Martinez named a committee to look into the Resolution for increase in per diem for jury service. The committee is as follows:

Commissioner Jerry Vasquez – Chair
Judge Manuel Flores – Co-Chair
Mr. Carlos Villarreal
Mr. Homero Ramirez
Mr. Leo Flores

Judge Martinez stated that sources of funding should also be looked into.

01-11-304

2. Approval of Minutes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “aye”, in favor to approve the minutes as submitted.

01-11-305

3. Communications –

City of Laredo notification of reportable methane gas levels.

Texas Department of Transportation notice to Webb County of eligibility to participate in the Texas Department of Transportation (TxDOT) Economically Disadvantaged Counties Program (EDCP).

Copy of letter to President Bush from Senator Eliot Shapleigh.

Copy of letter from NBC to Ms. Patricia A. Barrera, Tax Assessor-Collector regarding error in delivery of change order amount.

Commissioner Velasquez congratulated the High Schools that made it to the playoffs.

Commissioner Gutierrez commended the Webb County personnel that helped the colonias during the recent rain.

01-11-306

4. Bills, Payroll and Monthly Reports –

Mr. Jorge Flores, Chief Deputy Treasurer presented the Treasurer report at this time.

A motion was made by Commissioner Urdiales and seconded by Commissioner Velasquez with all voting “aye”, in favor to accept report.

The court questioned the condolences account and the policy that the county had for said account. Ms. Janie Puente, Risk Manager came before the court to explain .

After discussion, the court agreed that the account should be done away with and an item should be placed on the agenda at the next meeting to do so.

A motion was made by Commissioner Urdiales and seconded by Commissioner Gutierrez with all voting “aye”, in favor to approve the bills and payroll as presented.

01-11-308

6. – a. Increase minutes / Cellular phones –

A motion was made by Commissioner Urdiales and seconded by Commissioner Gutierrez with all voting “aye”, in favor to approve the increase in minutes on License and Weight Department of Public Safety Troopers cellular phones.

6. – b. Tax Assessor-Collector / Refunds –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye”, in favor to approve the following refunds:

First Nationwide Mortgage Co.
Reason: Payment made in error
Total refund: \$ 510.51

Sears Roebuck & Co.
Reason: District Court Judgement
Total refund: \$ 2,857.19

Washington Mutual
Reason: Account already paid
Total refund: \$ 2,052.72

General Growth Management, Inc.
Reason: Overpayment
Total refund: \$592.07

Hilltop Farms, Ltd.
Reason: Overpayment
Total refund: \$ 625.08

6. – e. Webb County Community Action Agency –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “aye”, in favor to submit to Texas Department of Housing and Community Affairs refunding application for the Comprehensive Energy Assistance Program (CEAP) for Fiscal Year 2002 in the amount of \$ 223,493.00 (Note: This is the annual application for requesting funding of the Comprehensive Energy Assistance Program for FY 2002. This grant provides the utility assistance to the low-moderate income clients and to the elderly and/or disabled clients of Webb County and funds the Heating and Cooling and Energy Crisis Components).

6. – e.

2. Webb County Community Action Agency / Fill slot –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “aye”, in favor to fill slot #1153 (Social Service Coordinator) at \$ 7.87 and hour effective November 26, 2001.

6. – f.

1. Planning Department / “Certifications” –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “aye”, in favor to issue/ratify “Certifications regarding compliance with plat requirements and the connection of utilities to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i), TLGC

Tract 55, Tanquesitos South Acres I (electricity – 1 dwelling)

6. – f.

2. Planning Department / Purchase Laptops –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “aye”, in favor to allow the Planning Department to Purchase two laptop computers with memory upgrades and accessories in an amount not to exceed

\$ 6,600 (funding available acct. 606-8001-7409 Rural Addressing – Equipment required for Emergency 911 Addressing assignments in the field as well as for use during meetings, public hearings and other county related business conducted off-premise).

6. – g.

1., 2., 3. Economic Development Department –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “aye”, in favor to approve the following items:

Implement a new 6 month trail period for hours of operation for the Webb County Self-Help Center to be effective with Daylight Savings time April 7, 2002:

9:00 a.m. to 12:00 noon

1:30 p.m. to 6:30 p.m.

and;

Accept the following recommendations from the Webb County Housing Rehabilitation Selection/Scoring Committee on the eligible applications (homeowners) to receive assistance under the (HCI) Housing Colonia Initiatives (HCI) grant Program for housing rehabilitation:

Magdalena Gonzalez
427 Rodriguez
El Cenizo, Texas 78046

Mariana Garcia
1745 Patricia
Rio Bravo, Texas 78046

and;

Authorize the Purchasing Agent to solicit bids for the Housing Rehabilitation Applicants recommended by the Webb County Housing Rehabilitation Selection/Scoring Committee under the HUD Housing Colonia Initiatives (HCI) Grant Program (Contingent upon approval of the Housing/Selection/Scoring Committee Recommendations).

01-11-309

7. – a. Tabled Item –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “aye”, in favor to table this item:

Action to authorize the selection of an attorney to investigate the County's Oil and Gas leases in the Webb County's school lands.

7. – b. Tabled Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting "aye", in favor to defer this item:

Action to authorize final payment to Atlas Construction Co. in the amount of \$ 43,831.79 for the remodeling of the Texas Department of Public Safety building and future office of J.P. Oscar O. Martinez and Constable Tino Juarez Prc. #4.

7. – c. Larga Vista / Design Construction, Inc. –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting "aye", in favor to select Design Construction, Inc., for the design of an addition to the Larga Vista Community Center (acct.627-8105-8103 Bond Series 2000- Building Improvements).

01-11-311

9. – a. Purchasing Department / Awarding of bid –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting "aye", in favor to award the following bids to:

Webb Self-Help HUD Colonia Grant Homes to Rehabilitation:

CAASHC 2001-34	Gloria Romo – El Cenizo, Texas
CAASHC 2001-35	Maria Sanchez – El Cenizo, Texas
CAASHC 2001-36	Maria E. Villanueva – El Cenizo, Texas

9. – b. Sheriff's Administration Building / Handrails –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting "aye", in favor to retain the services of Creative Floors and

Windows Inc., to install the handrails and redo the lobby wall first area in the amount of \$ 11,900.00 for the Sheriff's Administration Building (acct. 624-8000-8601).

***Pending favorable quote.

9. – c. 111th District Court / Multi-Media System –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “aye”, in favor to purchase multi-media system for the 111th Judicial District Court from audio Visual Aids Corp., in the amount of \$ 8,749.00 and furniture from Executive World in the amount of \$ 1,105 previously approve by the Purchasing Board 7-20-01 (acct.627-0200-8801).

9. – d. Energy Assistance / Community Action Agency Community Social Services –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “aye”, in favor to obtain the services of Propane Energy Assistance to qualifying residents for the Community Action Agency Community Social Services (acct. 911-4227-7018).

9. – e. & f. Transfer of Cellular Phones and Purchase of Pagers / D.P.S. –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “aye”, in favor to approve the transfer of two (2) cellular phones (already assigned) from Cingular Service to U.S. Cellular and for the purchase of five (5) additional Cellular Phones for the Texas Department of Public Safety and;

Obtain six (6) pagers from Autophone of Laredo, Inc., for the Department of Public Safety.

9. – g. Deferred Item –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye”, in favor to defer this item:

Action regarding billing concerns submitted by Corplan Corrections with reference to the upgrade of the Law Enforcement Center.

9. – h. Lease Purchase / Vehicles –

A motion was made by Commissioner Gutierrez and seconded by Commissioner

Velasquez with all voting “aye”, in favor to lease purchase through the Houston Galveston area County bid# VEO1-05 (Ford Motor Credit) in the amount of \$ 224,410.58 for the following departments:

County Attorney	2 mid size Vehicles instead of one full size administrative Vehicle
Building Maintenance	One cargo Van
	One crew cab pick-up truck
MIS Department	One ½ ton passenger van
Constable Reyes	One patrol Vehicle
Road & Bridge	Four ½ ton pick-up
	One ¾ ton pick-up
CAA	Two (2) 15 passenger vans

**Commissioner Gutierrez asked the court to consider a vehicle for Constable Annette Munoz.

01-11-312

10. – a Grant Award / COPS –

A motion was made by Commissioner Gutierrez, seconded by Commissioner Vasquez with all voting “aye”, in favor to accept a Grant Award from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) and enter into a Grant Agreement in the amount of seven hundred fifty thousand dollars (\$750,000.00) over a three year period with a county match of eighteen thousand three hundred twelve dollars (\$18,312.00) for six (6) new full-time school resource officers and authorize the County Judge to sign all relevant documents.

10. – b. Cellular Service Agreement / U.S. Cellular –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye” in favor to enter into a Cellular Service Agreement with U.S. Cellular for various Webb County Departments for a period of three (3) years beginning November 1, 2001 through October 31, 2004 a fees as set forth in the agreement and authorizing the County Judge to execute all relevant documents.

10. – c. Villa Antiqua Project / Exemption –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “aye”, in favor to retain the services of Frank Architects for the Villa Antiqua Project and to order an exemption from Competitive Bidding from Sec. 262.023 Local Government Code as a Professional Service and any matters incident thereto.

10. – d. Contract / West Publications –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “aye”, in favor to enter into a contract with West Publications for WestLaw Legal Research Service for the Webb County District Attorney’s Office, and the Webb County Attorney’s Office and The Webb County Public Defender’s Office for a twenty-two month period for a total cost of twenty-three thousand five hundred dollars (\$23,500) being one thousand twelve dollars (\$1,012.00) per month from December 1, 2001 through September 30, 2002 and one thousand one hundred fifteen dollars (\$1,115.00) per month from October 1, 2002 through September 30, 2003 and authorizing the County Judge to sign all relevant documents.

10. – e. Hotel-Motel Contracts / Various Organizations –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “aye”, in favor to enter into Hotel-Motel funded contracts with the following organizations and authorize the County Judge to execute all relevant documents:

Youth Commission	\$ 6,000.00
6 th Battalion , 1 st Alamo	
Brigade Texas State Guard	\$ 3,000.00
Webb County Heritage	
Foundation and Republic	
of Rio Grande Museum	\$ 50,000.00
Texas A & M International	
Dance Program	\$ 1,500.00
Laredo Little Theater	\$ 5,000.00
Laredo Philharmonic	
Orchestra	\$ 10,000.00
Laredo Center for the Arts	\$ 10,000.00
Cont’d	

Laredo Chamber of Commerce and Cola Blanca Contest	\$ 130,000.00
Hotel-Motel Association	\$ 2,000.00
Laredo Philharmonic Chorale	\$ 6,000.00
Washington Birthday Association	\$ 5,000.00
Border Olympics, Inc.	\$ 10,000.00
Laredo Children's Museum	\$ 23,000.00
Society of Martha Washington	\$ 5,000.00
Laredo Community College Spanish Traditional Group	\$ 4,500.00
Princess Pocahontas Council	\$ 5,000.00
Lulac Council #12	\$ 6,000.00
Lulac council # 7	\$ 4,500.00
Laredo International Fair and Exposition	\$ 4,000.00

12:05 p.m.

A motion was made by Commissioner Velasquez and seconded by Commissioner Gutierrez with all voting “aye”, in favor to go into Executive Session for the following items:

- 6. – c. } Action regarding the reimbursement of the difference between travel funds advanced and actual travel funds spent by employees of the Adult Probation Department.
- 6. – d. } Discussion and possible action regarding recommendations of the Head Start Selection Committee with designation of Interview process and selection of the new Head Start Executive Director, and any matters incident thereto.
- 10. – f. } Discussion and possible action regarding Cause No. 2001-CVQ-001524-D1; Roberto and Maria Garcia vs. City of Laredo, an incorporated entity; Juan Segovia, individually and in his official capacity as an employee of Planning Department for City of Laredo; Webb County, Texas, Political Subdivision of the State of Texas; in the 49th Judicial District Court of Webb County, Texas.
- 10. – g. } Discussion and possible action regarding Appeal No. 04-01-00482-CV; Cause No. 97-CVQ000758-D2; K.Smartt Investments, Inc., d/b/a Xoticas and Kenneth D. Smartt vs. Mercurio Martinez, Jr. et.al.; in the Fourth Court of Appeals for the State of Texas.
- 10. – h. } Discussion and possible action regarding Case No. L-92-21916-L-7; Adversary proceeding No. L-92-21916-L-7; Adversary Proceeding No. 00-2194-L; in re Cecil McDonald, debtor; Cecil McDonald vs. Webb County, et.al.; in the United States Bankruptcy Court for The Southern District of Texas, Laredo Division.
- 10. – i. } Discussion and possible action regarding claim of Manpower International, Inc., in the amount of \$ 7,296.64 for services provided to the office of precinct two Constable Ruben Reyes.
- 10. – j. } Action regarding Cause No. 2001-CVQ-001523-D2; Webb County, Texas by and through its Commissioners Court vs. Juan Garza, individually and in his capacity as Sheriff of Webb County, Texas in the 111th Judicial District of Webb County, Texas.

*****EXECUTIVE SESSION*****

1: 05 p.m.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

6. – c.

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “aye”, in favor to instruct employees of the Adult Probation to reimburse the county for the difference between travel funds advances and actual travel funds spent.

10. – f.

No action needed.

10. – g.

No action needed.

10. – h.

Status report.

10. – i.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye”, in favor to authorize the payment to Manpower International, Inc. in the amount of \$ 7,296.64.

10. – j.

No action today – item will be taken up tomorrow.

6. – c & d.

The court provided the short lists for the following interviews:

9:00 a.m.

Head Start

10:00 a.m.

Veteran Service Officer

11:00 a.m.

Law Librarian

Aliza Flores Oliveros

Diane Guajardo Najera

Leticia Menchaca Jacaman

Jesus Cantu

Arturo Tijerina

Bobby Hinojosa

Antonio Silva

Rosa Maria Castillo

Gamaliel Martinez

Judge Martinez reminded everyone there is only one Commissioners Court meeting on December 10, 2001.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting "aye", in favor to recess for tomorrow 11-27-01 at 9:00 a.m.

November 27, 2001

Present: Judge Martinez
Commissioner Jerry Vasquez
Commissioner Judith Gutierrez
Commissioner Felix Velasquez
Commissioner Miguel Urdiales

Judge Martinez called the meeting to order. A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting "aye", in favor to go into Executive Session for interviews for Head Start, Veteran Service Officer and Law Librarian.

10:35 a.m.

*****EXECUTIVE SESSION*****

The court returned to regular session and Judge Martinez stated that no action was taken in Executive Session.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting "aye", in favor to appoint Mr. Jesus Cantu as Veteran Service Officer.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “aye”, in favor to pay 12 months salary for the appointees (Veteran and Law Library).

Mr. Carlos Villarreal explained that this was necessary since the salaries for these positions were so low.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “aye”, in favor to appoint Rosa Maria Castillo as Law Librarian.

These appointments are effective on Friday, November 30, 2001.

The court agreed that they needed more time on the selection of Head Start Director, they agreed to post a Special Meeting for the selection.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “aye”, in favor to adjourn.

